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OFFICE OF PETITIONS

In re Application of
Hiroto Hirakoso
Application No. 09/955,196
Filed: September 19, 2001
Attorney Docket No. SON-2213

ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed March 5, 2007, to revive the above-identified application.

The petition is **DISMISSED** as moot.

A review of the record discloses that the amendment filed on March 5, 2007 was timely filed in response to the non-final rejection mailed December 4, 2007. A further review of the record indicates that the application was not abandoned at the time of filing the petition under 37 CFR 1.137(b).

In view of the above, the petition under 37 CFR 1.137(b) is unnecessary and the \$1500 petition fee that was paid on March 5, 2007 will be refunded to the petitioner's deposit account.

The application is being referred back to Technology Center Art Unit 2624 for prosecution in due course.

Telephone inquiries concerning this decision should be directed to the April Wise at (571) 272-1642. Telephone inquires related to further prosecution should be directed to the Technology Center.

Irvin Dingle
Petitions Examiner
Office of Petitions